

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31213 of 2008
DIWAKAR SINGH
Versus

STATE OF BIHAR

- - - -

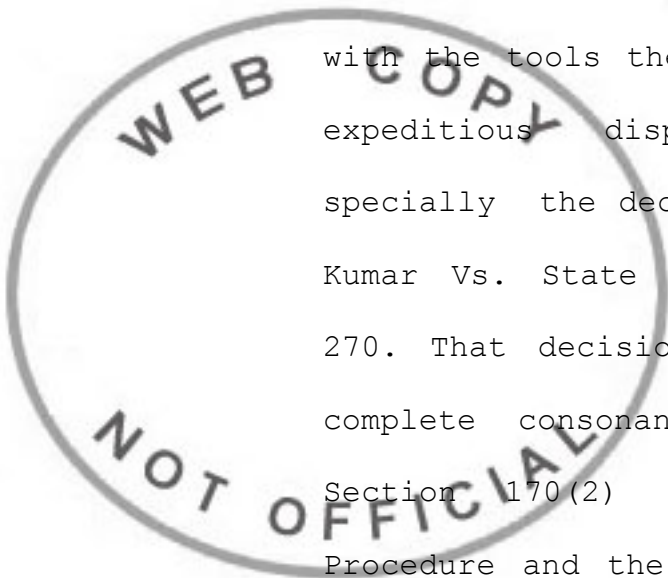
3. 4.8.2008

Heard.

Regard being had to the fact that the petitioner is the assailant of the deceased, I am not inclined to direct his release on bail.

The petition is dismissed.

However, I am also not happy on the state of the trial of a man who is in custody. The court below does not appear acquainted with the tools the Supreme Court invented for expeditious disposal of the trial and specially the decision rendered in Shailendra Kumar Vs. State of Bihar: A.I.R. 2002 S.C. 270. That decision of the Apex Court is in complete consonance with the provision of Section 170(2) of the Code of Criminal Procedure and the court below is directed to issue notice to the Officer-in-charge of the Police Station by which the case was investigated appending thereto the list of the chargesheeted witnesses and directing him to remain present with the witnesses on dates of



hearing. The case must not be adjourned as appears adjourned on 24.2.2008 without reasonable reasons. The trial must be concluded at any rate in nine months' time from the date of receipt/production of a copy of the present order before the trial court.

Kanth

(Dharnidhar Jha, J.)

